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September 30, 2004

RECEIVED

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

OCT - 1 2004

Federal Communications Commission
Office of Secretary

Re: CC Docket No. 96-45
Section 254(e) Self-Certification of FTC Communications, Inc. d/b/a
FTC Wireless Pending Completion of State Certification Proceedings

Dear Ms. Dortch:

Attached hereto is a sworn affidavit of Wilmot E. McCutchen, Chief Operating Officer, certifying that FTC Communications, Inc d/b/a FTC Wireless (the "Company") will, upon certification as an Eligible Telecommunications Carrier ("ETC") by the Public Service Commission of South Carolina (the "SC PSC"), comply with the requirements of Section 254(e) and those of the Federal Communications Commission ("FCC" or "Commission"). *See* 47 U.S.C. §254(e); *see also In the Matter of Federal-State Joint Board on Universal Service, Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No 96-45 and Report and Order in CC Docket No. 00-256, CC Docket Nos. 96-45 and 00-256, 16 FCC Rcd 11244 (2001) (the "Order"); 47 C.F.R. §54.314.* For the reasons stated herein, the Company respectfully submits that acceptance of this certification is fully consistent with established policy pending completion of the Company's ETC proceeding. *See In the Matter of Federal-State Joint Board on Universal Service, NPCR, Inc. d/b/a Nextel Partners Petition for Designation as an Eligible Telecommunications Carrier in the state of Alabama, et al., Order, CC Docket No. 96-45, DA 04-2667, released August 25, 2004 ("NPRC") at ¶24.* In accordance with this policy, the Company is now making this certification in order to ensure its eligibility to begin receiving federal Universal Service Fund ("USF") coincident with the date its receives ETC status from the SC PSC.

The Company's request for ETC status is currently pending before the SC PSC in both rural and non-rural areas of South Carolina. *See In Re: Petition of FTC Communications, Inc. d/b/a FTC Wireless for Designation as an Eligible Telecommunications Carrier (ETC) in the State of South Carolina, Docket No. 2003-158-C (Public Service Commission of South Carolina).* Based on those proceedings, the Company anticipates that its request for ETC status will be granted some time prior to January 1, 2004. Like NPCR, Inc., the Company's pending ETC request includes a demonstration and certification that it will utilize its federal USF disbursements in the manner required by Section 254(e). Included in Attachment 1 to the Company's ETC application filed with SC PSC, the Company certified that "[i]n accordance with 47 C.F.R. §§54.313 and 54.314, all high-cost support provided to FTC will be used only for the provision, maintenance and upgrading of facilities and services for which the support is

intended pursuant to 47 U.S.C. §254(e).”

Accordingly, through this letter and attached Certification, and consistent with *NPCR*, the Company provides this certification to demonstrate that it “has met the appropriate certification filing deadline in order for it to begin receiving supports as of its ETC designation date.” *Id.* (footnote omitted). Upon receipt of the SC PSC’s approval and certification of the Company, the Company will replace the attached certification with that received from the SC PSC, again consistent with the *NPCR*. See *NPCR* at ¶24 n.83.

To the extent that acceptance of this filing requires a waiver of Sections 54.313 and 54.314 of the Commission’s rules, the Company respectfully submits that such waiver be granted. Absent such waiver, the overarching objective of the rules – the ability of an ETC to receive a sufficient and proper level of USF and to use that USF in the prescribed manner found in Section 254(e) -- would be frustrated. At the time it decides the Company’s ETC request, the SC PSC will have all the necessary facts before it with respect to the Company’s compliance with both Section 214 and Section 254(e) of the Act. Assuming a grant of ETC status to the Company, application of the FCC’s rules (see 47 C.F.R. §§54.313(d), 54.314(d)) would deprive the Company of federal USF until the next quarter that begins after the date of the SC PSC’s decision. Consistent with the *NPCR* Decision, this timing anomaly should not preclude the benefit derived from the expenditure of USF in the areas where the Company seeks ETC designation. The availability of federal USF to the Company coincident with the issuance date of the SC PSC granting the Company ETC status, will immediately allow the Company to begin to expend its USF “for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” 47 U.S.C. §254(e). The resulting enhancements to rural wireless infrastructure will, in turn, redound to the benefit of universal service and the availability of increased facilities-based, quality service to the Company’s rural end users within the ETC designated area.

A copy of this letter and Certification is also being filed this day with the Universal Service Administration Company at its Washington, D.C., offices.

Please acknowledge receipt on the duplicate “stamp and return” document attached for this purpose. All correspondence and inquiries concerning this filing should be addressed to the undersigned.

Sincerely,



Wilmot E. McCutchen
Chief Operating Officer

Attachment

cc: Ms. Irene Flannery, Universal Service Administrative Company

FCC CC Docket No. 96-45
Section 254(e), 47 C.F.R. §§ 54.313 and 54.314

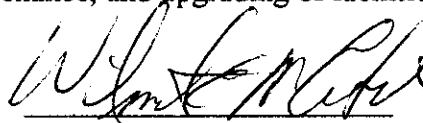
Certification of
FTC Communications, Inc. d/b/a FTC Wireless

AFFIDAVIT

I, Wilmot E McCutchen, Chief Operating Officer of FTC Communications, Inc. d/b/a FTC Wireless (the "Company") do hereby certify under penalties of perjury that:

1. I am the Chief Operating Officer of the Company;
2. The Company anticipates being designated as an Eligible Telecommunications Carrier ("ETC") by the Public Service Commission of South Carolina ("SC PSC") and will replace this certification with that provided by the SC PSC once it is received;
3. Upon its ETC designation, the Company will be a competing ETC in an area served by a "rural telephone company" as that term is defined in 47 U.S.C. §153 (37) and in an area served by a non-rural telephone company;
4. Upon its ETC designation, the Company anticipates being fully eligible for disbursements from the federal Universal Service Fund ("USF") as prescribed by the Federal Communications Commission; and
5. The Company will utilize its USF disbursements received only for the provision, maintenance, and upgrading of facilities and services for which it is intended.

Signature:


Wilmot E. McCutchen
Chief Operating Officer

Date:

9/30/04

State of South Carolina, County of

Williamsburg

BEFORE ME, the undersigned Notary in and for the State of South Carolina, on this day personally appeared WILMOT E. MCCUTCHEN, known to me to be the Declarant, who, being duly sworn, executed the foregoing instrument.

Subscribed and sworn to before me this 30th day of September, 2004.

My Commission expires

June 30, 2005


Notary Public